

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:)	Docket No.:	4354-110
)		
Applicants:)	Conf. No.:	4322
CABANA, Bernard E., et al.)		
)		
Application No.:)	Art Unit:	1614
10/668,792)		
Date Filed:)	Examiner:	Phyllis G. Spivack
September 23, 2003)		
)		
Title:)	Customer No.:	23448
RIFALAZIL COMPOSITIONS)		
AND THERAPEUTIC)		
REGIMENS)		

CERTIFICATE OF EFS FILING

I hereby certify that this document is being filed via EFS in the United States Patent and Trademark Office on **March 24, 2010**.
/david bradin/

**REQUEST FOR REFUND TO DEPOSIT ACCOUNT 08-3284 FOR OVERPAYMENT OF
FILING FEES IN U.S. PATENT APPLICATION NO. 10/668,792**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

On December 31, 2009, the undersigned attorney filed a Request for Examination (RCE) in the above-identified U.S. patent application, along with payment of the RCE fee in the amount of \$405.00 (small entity).

On January 11, 2010, the United States Patent and Trademark Office issued a Notice of Improper Request for Continued Examination in the application, indicating that the RCE was improper and would not be entered since it was not accompanied by a submission.

On February 2, 2010, the undersigned attorney filed a corrective Request for Continued Examination (RCE), along with the required submission, in the present application. This submission also included payment in the full amount of the RCE fee.

The undersigned hereby respectfully requests refund in the amount of \$405.00 for the overpayment of RCE fees in this application. Payment was authorized by the undersigned in conjunction with the filing of the Request filed on December 31, 2009; however, since this submission was identified by the USPTO as improper and never entered, the RCE fee should not have been assessed.

We therefore respectfully request the Commissioner for Patents to issue a refund in the amount of \$405.00 to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

Respectfully submitted,

/david bradin/

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<p>The USPTO is hereby authorized to charge any deficiency or credit any overpayment of fees properly payable for this document to Deposit Account No. 08-3284</p>
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